

## DE on Israel's nuclear ambiguity

"So what did Vanunu do after all?" asked Yechiel Horev--Vanunu's nemesis, his Javert,--at the close of last year's Knesset hearings, on Vanunu's release under restrictions on his speech and travel. "What is the meaning of ambiguity?" He proceeded to answer his question with a metaphor. "If you overfill a glass with water, and the water overflows, and the ambiguity disappears, there are positions a views, according to which we might face very severe sanctions. Among other things, it is possible that all sorts of actions will be taken against us, and there will be direct damage to security."

"Before Vanunu, the water in the glass was low, now only a drop or two are missing for the water to overflow, and we will face sanctions. That is what Vanunu did..."

Horev was expressing the belief that if it were to be established beyond doubt—especially, by Israel's own acknowledgement, or demonstration-- that Israel was a nuclear weapons state, there would be, on the basis of U.S. legislation, an automatic cutoff of foreign military and financial aid from the United States. No threat could be more grave to Israel. Horev may well actually believe this to be a real danger: certainly many, perhaps most Israelis do. But he, and they, are mistaken.

The legislation in question is known as an amendment to the Arms Export Control Act passed in 1977, generally known as the Symington amendment. As described by Sy Hersh in *The Samson Option* (p. 262), the act makes it "illegal to provide U.S. foreign aid funds to those nations that sold or received nuclear reprocessing or enrichment materials, equipment, or technology." On basis of that legislation, Pakistan twice experienced sanctions from the U.S.—because of its nuclear program. In both cases, the sanctions were later lifted, for reasons of state determined by the U.S. president, but that is undoubtedly the example in the minds of Israelis who regard non-acknowledgement of Israel's nuclear status as vital to their security. However, Hersh goes on to disclose: "The amendment, as written, had no impact on those nations, such as Israel, which had been involved in the transfer or sale of nuclear materials prior to the bill's enactment. *Israel. In other words had been grandfathered out.* The legislation, sponsored by Senator Stuart Syming, also provided for the President to override the law if he determined that the termination of such aid would be damaging to American national security. The law has been applied two times to Pakistan, and to no other nation, since its approval."

"Congress and the White House were, in essence, acceding to what had become the arms control community's rationalization for its failure to raise questions about the Israeli bomb: Israel was no longer a proliferation problem—it had already proliferated." (pp. 262-63: emphasis added).

There was, after all, another reason why the law had been written that way. In a footnote to the passage above, Hersh reveals: "Victor Gilinsky, the NRC [Nuclear Regulatory Commission] commissioner, said he had been a Washington dinner party shortly after the legislation was passed and listened intently as Symington made an informal speech about the importance of limiting the spread of nuclear weapons. 'When he sat down,' Gilinsky said, 'I asked him, 'What about Israel?' 'Oh, they need it,' the

senator responded. ‘I’ve been telling Dayan for thirty years they have to have the bomb.’”

This attitude—which may sound surprising to many Israelis and Americans—was not confined to Democratic politicians like Symington. As Hersh reports—and as I can confirm from what I learned in 1969, at the beginning of which I consulted for the White House, specifically for Henry Kissinger and his deputy Morton Halperin—“Richard Nixon and Henry Kissinger approached inauguration day on January 20, 1969, convinced that Israel’s nuclear ambitions were justified and understandable. Once in office they went a step further: they endorsed Israel’s nuclear ambitions.” One clear sign of this was Nixon’s ending, in 1970, the Kennedy-Johnson charade of pro forma American “inspections” of Dimona.

Halperin told Hersh for his 1991 book what he had told me in 1969 and later: “Henry [Kissinger] believed that it was good to spread nuclear weapons around the world. I heard him say that if he were the Israelis, he would get nuclear weapons. He did not believe that the United States should try and talk them out of it.”

Hersh continues: “Kissinger also told his staff in the first months of 1969 that Japan, as well as Israel, would be better off with the bomb than without it. [DE note: I have been told by a Foreign Service officer who was in the room as a translator in 1969, when President Nixon told Japanese Defense Minister (later prime minister) Nakasone that he believed it was in Japan’s interest to have “a bomb in the basement.” As Avner Cohen points out, Israel had had such a bomb since June 1967. “Nixon’s more lenient view of nuclear proliferation in friendly states” was known to the Israeli cabinet, where Gold Meier argued initially in 1969, as she had since 1963, that America should be told frankly, in private, of Israel’s intent to keep its nuclear weapons. Cohen, p. 284. ] [Kissinger] was convinced, said Halperin, that nuclear weapons were essential to the national security of both nations. Kissinger’s view was essentially pragmatic, added Halperin: most of the major powers would eventually obtain nuclear weapons, and the United States could benefit the most by helping them to do so rather than by participating in futile exercises in morality, such as the Nonproliferation Treaty.” (ibid. pp. 209-210).

It should be noted that in 1969 the intelligence community working for Kissinger and Nixon was not in a state of doubt about whether Israel had the bomb. The U.S. had followed the course of the nuclear activities at Dimona, by overhead reconnaissance, from its beginning in 1958. Despite the pains taken to deceive American “inspectors” visiting Dimona, in early 1967 the CIA distributed reports that it would take Israel about six to eight weeks to assemble a bomb. (Cohen , 298. A pretty good estimate: Cohen reports that just three months later, on the eve of the Six-Day War, “Israel ‘improvised’ two deliverable nuclear explosive devices.” 274. Cohen names one source, confirmed, he says, by other credible sources, who claim that this was known or estimated in the White House at the time. 415, fn. 72.

A year later, in early 1968, Director of Central Intelligence Richard Helms hand-delivered to President Johnson an official, Top Secret CIA estimate that Israel had already manufactured three to four nuclear weapons. This news, if it leaked, would scuttle the negotiations for a Non-Proliferation Treaty before its birth at mid-year; moreover, it would challenge the President to act somehow on the information, which he had no intention of doing. Johnson ordered Helms to suppress the document: “Don’t tell anyone else, even Dean Rusk and Robert McNamara.”<sup>i</sup>

Thus, so far as the CIA and the President of the United States were concerned, “ambiguity” about whether Israel intended to be or had become a nuclear state was ended by 1968. Since President Johnson kept the secret as determinedly as Israel, that was not true for any or most other nations. It did not prevent 65 nations from signing the NPT on July 1 when it was first presented, amidst a general belief that although Israel was not among them (“for technical reasons”), Israel was not yet a nuclear state nor determined to be one, and that it would eventually join the Treaty as a non-nuclear state.

That changed, for the U.S. bureaucracy as a whole and readers of the New York Times, when Hedrick Smith disclosed on July 18, 1970, under the new Administration, that “for at least two years [i.e. since 1968] the United States Government has been conducting its Middle East policy on the assumption that Israel either possesses an atomic bomb or has component parts available for quick assembly.” The leak followed closely the first briefing on Israel’s nuclear status by Helms to Congress, on which Senator Stuart Symington had commented. “Smith disclosed that Israel had told American officials that the commitment not to introduce nuclear weapons meant that Israel would not be the first Middle Eastern state to use or test atomic arms.”<sup>ii</sup>

According to Cohen, this story revealed an understanding reached by Nixon and the new Prime Minister, Golda Meier, a year earlier, in September 1969, when Meier followed her long-term instinct “to tell the Americans the truth, and to explain why.” Under her predecessor, Levi Eshkol, “[I]sraeli commitment [not to “introduce” nuclear weapons into the Middle East] appeared to mean that Israel would not produce nuclear weapons. After 1969 Israel committed itself not to reveal its nuclear capability by conducting a test or by declaration.”<sup>iii</sup> On the U.S. side, “the Nixon Administration no longer pressed on the matter of signing the NPT, and the issue dropped from the [bilateral] agenda.”<sup>iv</sup>

#### END NOTES

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<sup>i</sup> Cohen, p. 298; Hersh, pp. 188-89.

<sup>ii</sup> Cohen, p. 337 (emphasis added). As for a promise not to be the first to *use* nuclear weapons, Israel, this was clearly not made in good faith, any more than the earlier formulation, that it would <sup>not</sup> be the first to “introduce” nuclear weapons into the Middle East (in the usually-understood sense of possessing them). Israel’s plans have presumed nothing other than first-use from the very start of the program; none of their adversaries have ever possessed nuclear weapons, nor were any of them expected to, as of 1968, for decades. Apparently Nixon took the assurance of non-first-use with a grain of salt; Smith reported that “The Nixon Administration was convinced that Israel would not use nuclear weapons except in the most dire emergency.”

<sup>iii</sup> Cohen, 337. Note that this Israeli commitment makes no mention of forgoing first-use; that was included in some later public statements by Israeli officials, but apparently not in private summit discussions. The formula, “no test, no declaration, hence, no introduction” had been advanced a year earlier, under LBJ, by Yitzhak Rabin in discussions with Paul Warnke of the Defense Department. See Cohen, 317, 337.

<sup>iv</sup> Cohen, 337, quoting Yitzhak Rabin’s memoirs.